

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANCARA RICHARDS,

Plaintiff,

-against-

MINISTRY OF EDUCATION JAMAICA W.I.
OLLA, Free Hill Primary School,

Defendant.

23-CV-7990 (LTS)

ORDER DIRECTING PAYMENT OF FEE
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (“IFP”) application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but his responses do not establish that he is unable to pay the filing fees.¹ Plaintiff states that he is unemployed but does not answer the questions asking for his last date of employment. He also indicates that he has seven sources of income, but he does not describe those sources or state the total amount of that income. Plaintiff does not answer the question asking how he pays his living expenses or how much money he has in cash or in a checking or savings account; he also does not answer the questions about his assets, expenses, debts, or other financial obligations. Because Plaintiff fails to fully answer the

¹ Plaintiff previously filed an action, in which he did not complete his IFP application. *See Richards v. Williams*, ECF 1:23-CV-2355, 2 (S.D.N.Y. May 24, 2023). In this prior action, the Court directed Plaintiff to file an amended IFP application, or pay the filing fees. Plaintiff did not respond to the order, and the Court dismissed the action.

questions about his financial status, the Court does not have sufficient information concerning his ability to pay the filing fees.

Accordingly, within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit an amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 23-CV-7990 (LTS), and address the deficiencies described above by providing facts to establish that he is unable to pay the filing fees. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: September 11, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge